

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, <i>et al.</i> ,)	
)	
)	
	<i>Plaintiffs,</i>)
)	
vs.)	No. 14-cv-254
)	
UNITED STATES OF AMERICA, <i>et al.</i> ,)	
)	
	<i>Defendants.</i>)
)	

**PLAINTIFFS' UNOPPOSED MOTION TO CONTINUE HEARING AND EXTEND
TIME TO FILE PLAINTIFFS' REPLY BRIEF**

Plaintiffs respectfully request that the Court extend the time to file Plaintiffs' reply brief from January 2, 2015, to January 7, 2015. Plaintiffs also request that the Court continue the hearing, currently set for January 9, 2015, until January 14, 2015. This motion is unopposed.

The extension is necessary because the United States has indicated its intention to file a response of up to 55 pages on December 24, 2014. The current schedule gives the Plaintiff States only 5 business days to reply to that filing, and many officials in the Plaintiff States will be on vacation during those 5 days. Moreover, the multi-State coalition of Plaintiffs now includes officials from 25 States; the State of Tennessee announced its intention to join this suit on December 22, 2014. In the interest of giving the States adequate time (1) to coordinate among themselves on a single reply brief that will be helpful to the Court and (2) to

communicate with officials at affected State agencies, we respectfully request an extension of the reply period.

A continuance of the hearing is necessary because the United States desires at least 7 days to review Plaintiffs' reply brief before the hearing. On the scheduling call, the Court stated that its calendar was open for a hearing on January 14, 15, or 16, 2015, and counsel for the Plaintiffs confirmed the availability of those dates by calling the Court's case manager. And this continuance will not prejudice the parties, given the Defendants' declaration that they would not begin implementing the challenged program until late February at the earliest.

CONCLUSION

Plaintiffs respectfully request a continuance of the preliminary injunction hearing to January 14, 2015 and an extension of the time to file Plaintiffs' reply brief to and including January 7, 2015.

Respectfully submitted.

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CERTIFICATE OF SERVICE

I certify that I served a copy of this pleading on the following counsel for the Defendants via Federal Express, next-day service:

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/s/ Andrew S. Oldham
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CERTIFICATE OF CONFERENCE

I certify that my colleague Arthur D'Andrea conferred with counsel for the United States, and the Defendants do not oppose this motion.

/s/ Andrew S. Oldham
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